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C O N F I D E N T I A L SECTION 01 OF 06 KINSHASA 001357

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TAGS: [PGOV](#) [PREL](#) [KDEM](#) [ASEC](#) [KPKO](#) [CG](#)
SUBJECT: THE UNNECESSARY DRC CRISIS, AND BEYOND

REF: KINSHASA 1208

Classified By: Classified by Ambassador Roger Meece. Reason 1.4 (b/d)

¶1. (C) Summary: Kinshasa military clashes from Aug 20 - 22 represented arguably the biggest threat to date in DRC's difficult Transition process, although by Aug 24 the capital began resuming more normal activity. This crisis was confined exclusively to Central Kinshasa, in essence a clash between forces loyal to election adversaries Kabila and Bemba. While both bear responsibility for contributing to tensions giving rise to the confrontation, the main causative action appears to have been a planned attack by Presidential Guard forces against Bemba's troops the afternoon of Aug 21, representing a major miscalculation by presidential hard-line advocates. Under heavy international pressure, both sides have pulled back, and Kabila and Bemba seem to be aware of the need to reengage politically. To salvage the Transition and election process, and complete the current final phase, the international community needs to help them find a way out of their respective corners and re-commit to the political process, while simultaneously seeking to reduce as much as possible military options available to either side. Practical factors dictate that under the best possible scenario the DRC will still have several months until a new post-election government can be installed, in a period characterized by very weak government, suspicion and uncertainty. Strong international engagement has been essential to get by the immediate crisis, and will continue to be required. Several specific steps are outlined in para ¶13. End summary.

Blundering Into Crisis

¶2. (C) Military clashes in Central Kinshasa from August 20 - 22 between forces loyal respectively to Vice President Bemba and President Kabila represented one of the biggest threats to date to the successful conclusion of the DRC's difficult Transition process since the Sun City Accords were negotiated in mid-2003. The violence, however, represented almost exclusively a personal clash between Kabila and Bemba. No problems were reported elsewhere in the Congo, there were no signs of popular unrest or mass demonstrations, and to a significant degree, most areas even of Kinshasa saw no major upheaval. The military action, violence, and resultant casualties were particularly visible and reported as it was centered on Kinshasa's Gombe district which houses the capital's business and government center, most foreign diplomats and international press, and a large percentage of Kinshasa's business and political elite.

¶3. (C) The military confrontation did not arise

spontaneously. In the period immediately prior to July 30 elections, as well as during the subsequent ballot compilation period, political tensions between the Kabila and Bemba camps had been rising. Bemba had been pushing the limits using his media, forces, and followers to portray Kabila negatively, presumably seeking to intimidate Kabila and his followers who are relatively unpopular in Kinshasa. He generally was asserting his position in an aggressive style that is not untypical, and sometimes spills over into violence, as it did July 27 (REFTEL). In contrast, hard-liners within the Kabila camp had become increasingly strident in seeking to portray Bemba as a unrestrained purveyor of violence. For example, some Kabila advisers attempted to portray the pre-election July 27 events as a calculated act of violent mayhem comparable to Kinshasa's traumatic past episodes of mass looting in 1991 and 1993 (comment: which they were not), and Bemba as an insidious opponent of all decency and order. Government-controlled television repeatedly ran gruesome images of July 27 violence, often suggesting planned Bemba actions utilizing former Zairian presidential forces.

4.(C) In addition, in growing recognition that a first-round victory was not in the cards, Kabila initiated some troubling statements, including those suggesting that if second-round elections could not be held within 15 days, the whole process would be constitutionally invalidated. Some hard-liners also whispered that it looked like Kabila had a 2-to-1 margin over Bemba, in essence winning even without an absolute majority, with the troubling implication that a second round might not be necessary. In light of subsequent events, actions by the DRC High Media Authority (HAM) to restrain media, and by others including members of the International Committee to

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Accompany the Transition (CIAT) to calm the atmosphere, while helpful, were not sufficient to change the emotion-driven momentum in both the Bemba and Kabila camps.

15. (C) The announcement of first-round presidential results by the Independent Electoral Commission (CEI) on August 20 was the key event for action on both sides. Both Kabila and Bemba found reason for disappointment. As had been clear for some time, the Kabila camp had rested securely on an assumption of a first-round victory, apparently in retrospect with little consideration for any other scenario. For his part, Bemba's performance in Kinshasa and other parts of western DRC, while strong, was not up to his hopes or expectations. This reality likely lead to some doubts about his presumed strategy for second-round victory, and perhaps at least as significant, wounding his very substantial ego.

Triggering Violence

16. (C) In late afternoon and evening hours leading up to the CEI's expected announcement of election results August 20, gunfire and violent clashes broke out in Kinshasa. Most of the activity appeared to be driven by Bemba people. The motive behind the actions is open to speculation, but theories include possibly an effort to intimidate Kabila supporters or potential Kabila political allies (threat politics), attempted bullying of CEI officials or others (Note: Bemba's MLC member of the CEI was refusing to sign the election report), or pique by the candidate and supporters that his apparent vote total in Kinshasa was not higher (injured ego). Whatever the reason, the actions were dangerous, significantly raising the risk of broadened violence in town. Members of the CIAT met in special session early morning on August 21, and among other things requested urgent meetings the same day with Vice President Bemba and President Kabila to deliver a strong message of the need to reduce tensions. Most CIAT members felt the biggest immediate need was Bemba's action to reign in his supporters and deliver a public message for calm.

17. (C) Bemba confirmed a meeting with the CIAT for 1530 hrs (local) on August 21; no confirmed time could be obtained for a similar Kabila meeting. (Comment: In view of the subsequent presidential guard operation, hardly surprising. End comment.) SRSG Swing confirmed with Presidency political staff the time of the CIAT meeting with Bemba. All CIAT Ambassadors/Charges were present, with the exception of the Chinese, and I and other CIAT members delivered our opening messages to Bemba. At around 1600 hrs local, however, before Bemba could respond, significant small arms and heavier weapons fire erupted in the vicinity of Bemba's residence. All retreated to a somewhat more protected office on the ground floor, and it subsequently became clear that an organized attack was underway by Presidential Guard (GSSP) units against Bemba forces, including his residence. Kinshasa cellular systems went into an overload of calls, including direct contact by SRSG Swing with President Kabila, with transfer of the instrument producing direct Bemba/Kabila telephone conversations as well. The upshot was eventually a reduction of activity around Bemba's residence, and the start of negotiations coordinated by the MONUC force commander to separate forces, bring a halt to the fighting, and arrange for extraction of the CIAT Ambassadors through a MONUC/EUFOR armored convoy, as detailed in Embassy sitreps and other information already reported.

18. (C) Monitoring Bemba's phone calls and his general demeanor during the afternoon and evening, it was apparent he was surprised and shaken by the events. He expressed his fear that when the CIAT Ambassadors left, GSSP units would simply resume offensive operations with the clearly felt objective potentially to include his own death. By late evening, MONUC and EUFOR troops were stationed at Bemba's residence, with explicit messages delivered to presidency officials that any subsequent attack against Bemba would include an attack against international peacekeepers, with strong attendant consequences for those responsible for such an action.

Back From the Brink

19. (C) While the August 28 violence was a significant problem, the GSSP operation on August 21 against multiple targets revealed a planned and organized attack utilizing

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tanks, armored vehicles, and a variety of light and heavy weapons, which threatened sustained combat and a complete breakdown of order in Kinshasa. It represented a miscalculation of major proportions, and the fact of an attack while CIAT Ambassadors were present at Bemba's residence compounded the error. It appears reasonably clear from the Ambassador's conversations with Presidency staff and other sources that relative political moderates, such as Chief of Staff Okitundu, Ambassador-at-Large Ghonda, Diplomatic Adviser Kapanga and others were not aware of the GSSP operation in advance. Hence, presumably the badly bungled timing. The political advisors who knew of the CIAT/Bemba meeting felt no need to urgently inform Kabila or others; the military and hard-liners who knew of the GSSP plan did not know of the CIAT meeting.

10. (C) Whatever the circumstances, the August 21 initial negotiations were carried into the following day. CIAT Ambassadors who were able to get to MONUC convoy assembly points (Note: unfortunately not including any of the African CIAT members) met with Kabila and key staff, along with Defense Minister Onusumba, at 1130 hours on August 22. SRSG Swing, several CIAT Ambassadors/Charges and I delivered very strong messages centered on the immediate need to disengage forces and establish order, and that restoration of the political process represented the only acceptable way forward, that the Congolese people deserved better than the disastrous military clash that had been unleashed, and that two people - Kabila and Bemba - had the responsibility and

the unique power to bring about an end to the fighting and disorder. These messages were reinforced through a number of subsequent calls and contacts with officials from both the Kabila and Bemba camps, as well as messages by the Eminent Persons Committee chaired by former Mozambican President Chissano, in town throughout the crisis, and other contacts. All agreed on the importance of a meeting the same day, August 22, set for 1430 hours, by military representatives of both sides to hammer out specifics of a disengagement. (Note: We no longer used language speaking of a "return to barracks," as barracks largely do not exist. Instead, the objective was defined as a "return to positions" or the French "consignation" which implies confinement without necessarily reference to military barracks. End note).

¶11. (C) Both Kabila and Bemba committed to send authoritative representatives to the 1430 hrs meeting, and the resultant "Working Group" formed to negotiate terms for a withdrawal of respective forces, establishment of MONUC and EUFOR forces for patrols, and means of verification. This agreement was hammered out by the evening of August 22 at around 2300 hrs, under general direction of MONUC force commander General Gaye, and was broadcast by Kinshasa electronic media. Implementation of the agreement set the stage for relative order to be restored to Kinshasa starting Tuesday night and Wednesday, August 23. Working Group members included military and police chiefs representing both Kabila and Bemba, Defense Minister Onusumba (an RCD-Goma member), Interior Minister Mbemba (from Kabila's party), and MONUC and EUFOR representatives. The Working Group has maintained its function subsequently, meeting daily at 1800 hrs local at MONUC headquarters to discuss the daily situation, review allegations of violations of the agreement, and address other relevant issues.

Moving Forward

¶12. (C) CIAT members, MONUC, and others have undertaken a number of steps to build on the initial Working Group disengagement agreement to begin to restore the political process. Specifically:

a) A Mixed Commission to be composed of representatives of Kabila and Bemba, along with MONUC, has been proposed to deal with general issues between the two camps. The general idea would be for two sub-commissions. The first would be to identify and report specifically who did what in the August 20 - 22 events. (Note: We do not believe that such a joint group will ever necessarily be able to come to agreement, but the group does provide a political forum for discussion and assessment of events. End note). The second sub-commission would deal with issues and charges of each camp relative to the other, e.g., Bemba's charge that Kabila is operating a private army as the Presidential Guard; Kabila's that Bemba is using his media outlets to incite hatred and violence directed against Kabila. Both sides have a list of charges.

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Both sides have accepted this proposal in principle, although final terms of reference are still being negotiated.

b) As noted in para 11, the military Working Group is continuing its existence, serving as a verification and discussion mechanism to enforce the disengagement agreement. Joint verification patrols are being routinely conducted in Kinshasa involving representatives of both sides, as well as MONUC, EUFOR, and police elements through vehicle and helicopter patrols.

c) The High Media Authority (HAM) president initiated negotiations among Kinshasa's media chiefs to define a "code of conduct" that would prohibit use of inflammatory language or images to incite violence or hatred, including ethnic tensions. Five of Kinshasa's television media heads signed the agreement Saturday morning, August 26, in front of CIAT

Ambassadors; others are scheduled to do so Wednesday, August 130. The agreement, and the HAM's president accompanying statement, make it clear that the HAM is ready and willing to take punitive action against offenders, including suspension of the media involved.

d) The Eminent Persons Committee chaired by former President Chissano has been meeting with both Bemba and Kabila, as well as other influential leaders, to emphasize the need to pursue the political process, seek a solution to a Constitutional election timing question that has become political (see para 13), and eventually try to broker a Kabila/Bemba meeting (see para 13).

e) The Independent Electoral Commission (CEI) has made it clear publicly that it is continuing work, starting to publish results during the weekend from the important National Assembly elections, presenting a formal report of the Presidential elections to the Supreme Court as required by law, and reiterating that its work continues toward a Presidential second-round runoff and provincial assembly elections scheduled for October 29.

f) CIAT members, SRSB Swing, and others have made it clear that it is important for the government to be seen continuing to function (Comment: Insofar as the Transition government does function. End comment). In that regard, meetings have been held or are scheduled imminently of the Espace Presidentiel (President plus Vice Presidents), the Council of Ministers, the Supreme Defense Council, the Security Mixed Commission, and other bodies. President Kabila, plus Vice Presidents Bemba and Ruberwa, have all agreed on the importance of these steps, and committed their support.

13. (C) Other steps to help reestablish firmly a political process and maintain order remain to be done. Specifically:

a) A Kabila-Bemba meeting: CIAT Ambassadors and others have expressed the need for a Kabila-Bemba meeting, and preferably some kind of joint statement or gesture reaffirming their commitment to work within the political framework. At the August 22 meeting, Kabila conspicuously failed to respond to these suggestions; however, both he and Bemba have subsequently indicated they are ready to do so. The modalities, however, remain to be set. Kabila wants a meeting within established institutions, such as the Espace Presidentiel or Supreme Defense Council with other witnesses present; Bemba prefers a one-on-one, at least initially. The current poisonous relationship between the two is also a problem; neither is willing for now to go to facilities essentially controlled by the other. One way forward could be the Eminent Persons Committee, with a meeting in President Chissano's hotel suite with security established by MONUC, and Chissano is quietly pursuing that goal outside of the public eye.

b) Election Timing: As it became clear that a Kabila first-round majority win was unlikely, Kabila began citing a previously-unnoticed provision of the Constitution that appears to require second-round elections within 15 days of the publication of results of the first round. This, however, is simply not logistically possible, as Presidency staff presumably well knew, the subject having been discussed often, on many occasions in Kabila's presence. Whether the goal of such talk was to set the stage for de facto suppression of the remainder of the electoral process (e.g., it is invalid anyway, and Kabila essentially already won), or for some other motive, it is problematic. While Kabila has since last week's crisis modified his language, he needs a

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graceful way out. A possible legal formula would be to note the Constitution's requirement simply to "proceed" to the second round, and President Chissano and the Eminent Persons Committee is pursuing a formulation and deal that could allow agreement, while "encouraging" second-round elections as soon

as possible (comment: which is in fact likely to be October 129. End comment). The CIAT and Chissano committee discussed the approach at an August 24 meeting. The problem is fundamentally political wrapped in legal arguments; Chissano may be best placed with international community support to define the solution.

c) MONUC mandate: MONUC's mandate expires at the end of September. As noted above and in previous Embassy reporting, MONUC's role in helping to restore order in Kinshasa has been essential, and Congolese will be closely following the debate and conditions that may attend the UNSC's renewal of MONUC's mandate. We believe it very important the UNSC statements associated with UNSC consideration of the MONUC mandate make it explicitly clear that MONUC enjoys the continuing strong support of the international community to fulfill its basic security mandate through the successful completion of the Transition, and sufficiently beyond to ensure that Congo's election results and establishment of a new elected government are consolidated and secure.

d) EUFOR: For all of the ambiguity surrounding EUFOR's establishment and mission, its coordination with MONUC during last week's crisis, and its deployment of troops and equipment during the events was very important. (Note: EUFOR's equipment and capability in Kinshasa is significantly better than MONUC's, including night-vision capability, arms and vehicles, and air assets. End note). EUFOR's mandate is currently scheduled to expire November 1, just a few days following the October 29 elections. It is not clear from the perspective of Kinshasa what may be contemplated or feasible in European capitals about a possible EUFOR extension, but it would seem desirable that the EUFOR engagement, now very visible through patrols with MONUC and other activities, continue for at least a bit of time beyond the original date.

e) Staying on Track: Finally, whatever the immediate engagement and process, it is obviously of great concern to many in the DRC that the two principal adversaries, Kabila and Bemba, maintain responsible behavior and avoid further emotionally-driven, and ill-considered action. This will likely mean at minimum frequent reiteration from a variety of key international officials that only by means of the political process will a future Congolese elected government be accepted on the international stage, or for that matter able to govern successfully internally. Hard-liners on both sides, including notably Bemba himself, will undoubtedly find ample provocation in the weeks to come. The political messages are ones that cannot be repeated too often.

f) Security Sector progress: Clearly, the violent clash of last week was possible because non-integrated forces are still available to both Kabila and Bemba. For that matter, RCD-Goma, while it stayed out of last week's clash, also still commands substantial forces in its own ex-ANC units. Further progress in the integration program, reform programs (including pay and support), and training must be pushed forward as much as possible. This is a long-term project, but it is of key importance to the public and the political actors that further visible progress be achieved.

Bottom Line: Mistakes and Fear Feeding the Way Forward

14. (C) It appears reasonably clear at this point that at least some of President Kabila's circle of advisors, and hopefully Kabila himself, recognize that some major mistakes were made last week, leading to a significant loss of prestige and possible votes for Kabila himself. Indeed, the GSSP August 21 attack remarkably transformed Bemba's image at least partially from one of bully and provocateur to that of victim thanks to the presidency's ham-handedness. On the other side, Bemba was clearly fearful as a result of the August 21 attack, and is in a position of continuing relative military weakness compared to forces available to Kabila. Both of these provide some leverage to get people back on track. Both have reasonable strategies to pursue for the second-round elections. Although Kabila weakened his

electoral position last week, he still has to be considered the front-runner. Bemba can pursue alliances of the many disenchanted with the presidency.

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¶15. (C) National Assembly results also help to provide some mitigating influence. Pending results, both Bemba and Kabila, and presumably many others, will gain a clearer stake in future governance through Assembly representation, which in turn is likely to have a major influence on the nature and composition of the future government, including the choice of Prime Minister. Both Kabila and Bemba in recent days have shown signs of wanting to pull back from the brink, and we and others need to build on that. The clash of last week put severe pressure on the process, but it survives and can still be carried forward.

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